

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

BELDEN CANADA ULC,

Plaintiff,

v.

COMMSCOPE, INC.,

Defendant.

Civil Action No. 22-782-RGA

ORDER

I have considered the Motion for Extension of Time to File Notice of Appeal (D.I. 336), as well as the other papers submitted in connection with this motion (D.I. 337; D.I. 338; D.I. 339). I GRANT the motion.

The parties agree that the issue here is whether Plaintiff has established excusable neglect. I consider that: (1) the parties (as well as me) knew that Plaintiff planned to appeal (D.I. 339, Ex. A); (2) Plaintiff's attorney calculated the relevant deadline; (3) Plaintiff's attorney erroneously did not calendar the deadline; (4) Plaintiff's attorney erroneously thought someone else was drafting the notice of appeal; (5) very soon after the deadline passed, Plaintiff's attorney realized his errors; and (6) Plaintiff filed the motion for extension of time the next day. The considerations other than item (1) are all shown by Plaintiff's attorney's declaration. (D.I. 337). I think the above facts constitute excusable neglect.¹

IT IS SO ORDERED this 10th day of December 2025.

/s/ Richard G. Andrews
United States District Judge

¹ I do not think I need to consider any personal circumstances of Plaintiff's attorney. (See D.I. 337 at ¶ 14).